

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALFONSO BROWN,

Petitioner,

v.

CASE NO. 05-72321
HONORABLE GERALD E. ROSEN

HUGH WOLFENBARGER,

Respondent.

ALFONSO BROWN,

Petitioner,

v.

CASE NO. 07-10901
HONORABLE GERALD E. ROSEN

SUSAN DAVIS,

Respondent.

ORDER CLOSING 2007 CASE, RE-OPENING 2005 CASE,
GRANTING PETITIONER'S MOTION TO SUPPLEMENT HIS STAYED PETITION,
AMENDING THE CAPTION, AND TRANSFERRING ALL DOCUMENTS

On December 16, 2005, the Court determined that Petitioner had not exhausted state remedies for all the claims raised in his Petition for the Writ of Habeas Corpus in case number 05-72321. The Court stayed the case because Petitioner's application for leave to appeal was pending in the Michigan Supreme Court. The stay was conditioned on Petitioner supplementing his habeas petition within sixty days of exhausting state remedies for his unexhausted claims.

On March 1, 2007, Petitioner returned to this Court with a Motion to Supplement Stayed Habeas Petition. His motion was treated as a new case, given a new case number (07-10901),

and assigned to the Honorable Thomas L. Ludington. Upon review of the 2007 case, it was determined that Petitioner was seeking to reinstate and supplement his 2005 Habeas Petition. Consequently, the case was reassigned from Judge Ludington to this Court, but not until several documents were filed in the 2007 case.

Petitioner's Motion to Supplement his stayed habeas petition [Dkt. 3, Mar. 1, 2007, filed in case number 07-10901] is GRANTED. For judicial efficiency and clarification of the docket, the Clerk of the Court is ordered to re-open case number 05-72321 and amend the caption of that case to reflect Petitioner's current warden, Susan Davis. The Clerk shall transfer all documents presently filed in case number 07-10901 to case number 05-72321, but place this order in both cases. Case number 07-10901 is hereby closed. All future documents shall be filed under case number 05-72321 with the caption "Alfonso Brown v. Susan Davis."

SO ORDERED.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: October 25, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 25, 2007, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager